

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

ELMAGIN CAPITAL LLC,	:	
	:	
Plaintiff,	:	
	:	
v.	:	
	:	
CHAO CHEN;	:	CIVIL ACTION NO.:
KARL PETTY;	:	2:20-cv-02576-TJS
ENTERGRID LLC;	:	
ENTERGRID FUND I LLC	:	
	:	
Defendants.	:	
	:	

[PROPOSED] ORDER

AND NOW, this _____ day of _____, 2021, upon consideration of Plaintiff's Motion For Civil Contempt, Enforcement of, and Sanctions for, Defendants' Pattern of Violations of Protective Order and response of Defendants thereto, it is hereby ORDERED as follows:

1. Plaintiff's Motion is **GRANTED**;
2. Defendants' counsel shall make no statement nor shall Defendants or Defendants' counsel use or disclose any Protected Material of Plaintiff based upon Defendants' or Defendants' counsel's determination:
 - a) that any particular combination of elements, methods, or steps in relation to a trading strategy for use in wholesale energy markets constitutes or does not constitute a trade secret,
 - b) that any individual element, method, or step, or combination thereof, described as comprising any part of a trading strategy for use in wholesale energy markets is "generally known" or "well known," or

- c) that Elmagin using, as part of any of its trading strategies, any individual element, method, or step, or combination thereof, is “generally known” or “well known.”
3. Defendants and/or Defendants’ counsel shall pay to Plaintiff, as compensation for costs associated with Defendants’ violations of the Stipulated Protective Order in this litigation (Doc. 013-1; Approved at Doc. 015), the reasonable attorneys’ fees of Plaintiff to be detailed to the Court by Plaintiff within seven (7) days of the date of this Order, such amount to be paid by Defendants and/or Defendants’ counsel within fourteen (14) days of Plaintiff’s submission of such fee detail.
4. Defendants’ counsel, ND Galli Law LLC, is hereby reprimanded for failing to file under seal a memorandum of law containing information taken from HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY documents of Plaintiff and for disclosing, without adherence to the procedures of the Stipulated Protective Order, HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY documents of Plaintiff and information therefrom.

BY THE COURT:

Timothy J. Savage, U.S.D.J.